

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
NOEL CINTRONDEFENDANTS
TRUMP ORGANIZATION LLC; and
TRUMP TOWER COMMERCIAL LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 Larry Hutcher, Esq. and Josh Krakowsky, Esq.
 Davidoff Hutcher & Citron LLP,
 605 Third Avenue, 34th Floor, New York, NY 10158, (212) 557-7200

ATTORNEYS (IF KNOWN)
 Howard M. Wexler, Esq.,
 Seyfarth Shaw LLP,
 620 Eighth Ave., 32 Fl., New York, NY 10018, (212) 218-5500

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Plaintiff alleges violations of the overtime wage provisions of the Fair Labor Standards Act, 29 U.S.C. § 201, et seq.

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY [] 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	FORFEITURE/PENALTY [] 625 DRUG RELATED SEIZURE OF PROPERTY [] 365 PERSONAL INJURY PRODUCT LIABILITY	BANKRUPTCY [] 422 APPEAL 28 USC 158 [] 423 WITHDRAWAL 28 USC 157	OTHER STATUTES [] 375 FALSE CLAIMS [] 376 QUI TAM [] 400 STATE REAPPORTIONMENT	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 690 OTHER		[] 410 ANTITRUST [] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY				[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[] 130 MILLER ACT					[] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV	
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 330 FEDERAL EMPLOYERS' LIABILITY	PROPERTY RIGHTS [] 820 COPYRIGHTS [] 830 PATENT			
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD [] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY			[] 840 TRADEMARK		
[] 152 RECOVERY OF DEFECTUAL STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 355 MOTOR VEHICLE PRODUCT LIABILITY			SOCIAL SECURITY [] 861 HIA (1395ff) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWV (405(g)) [] 864 SSID TITLE XVI [] 865 RSI (405(g))	
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 380 OTHER PERSONAL PROPERTY DAMAGE [] 385 PROPERTY DAMAGE PRODUCT LIABILITY	LABOR [] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT RELATIONS	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE [] 890 OTHER STATUTORY ACTIONS [] 891 AGRICULTURAL ACTS	
[] 160 STOCKHOLDERS SUITS				[] 740 RAILWAY LABOR ACT		
[] 190 OTHER CONTRACT CONTRACT				[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		
[] 195 PRODUCT LIABILITY	ACTIONS UNDER STATUTES	PARTNER PETITIONS [] 463 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255		[] 780 TAXES (U.S. Plaintiff or Defendant)		
[] 196 FRANCHISE	CIVIL RIGHTS	[] 530 HABEAS CORPUS [] 535 DEATH PENALTY [] 540 MANDAMUS & OTHER	[] 790 OTHER LABOR LITIGATION [] 791 EMPL RET INC SECURITY ACT (ERISA)	[] 871 IRS-THIRD PARTY 26 USC 7609	[] 893 ENVIRONMENTAL MATTERS [] 895 FREEDOM OF INFORMATION ACT [] 896 ARBITRATION [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
REAL PROPERTY		[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)			[] 950 CONSTITUTIONALITY OF STATE STATUTES	
[] 210 LAND CONDEMNATION	[] 441 VOTING [] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS [] 443 HOUSING/ ACCOMMODATIONS	IMMIGRATION [] 462 NATURALIZATION APPLICATION			
[] 220 FORECLOSURE		[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS [] 555 PRISON CONDITION [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	[] 465 OTHER IMMIGRATION ACTIONS		
[] 230 RENT LEASE & EJECTMENT		[] 446 AMERICANS WITH DISABILITIES - OTHER				
[] 240 TORTS TO LAND		[] 448 EDUCATION				
[] 245 TORT PRODUCT LIABILITY						
[] 290 ALL OTHER REAL PROPERTY						

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|--|--|--|---|--|---|---|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input checked="" type="checkbox"/> a. all parties represented | | | | | | |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |
- 8 Multidistrict Litigation (Direct File)

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] 3	DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

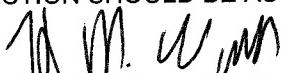
REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 08/01/2018 SIGNATURE OF ATTORNEY OF RECORD



RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[x] YES (DATE ADMITTED Mo. June Yr. 2009)
Attorney Bar Code # HW-2882

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

CERTIFICATE OF SERVICE

I, Howard M. Wexler, hereby certify that on August 1, 2018, I electronically filed the foregoing **CIVIL COVER SHEET**, with the Clerk of the Court via the Court's CM/ECF system, and served a true and correct copy of the foregoing document via Federal Express, priority overnight, upon counsel for Plaintiff at the following address of record:

Larry Hutcher, Esq.
Josh Krakowsky, Esq.
Davidoff Hutcher & Citron LLP
605 Third Avenue, 34th Floor
New York, NY 10158

Attorneys for Plaintiff

/s/ Howard M. Wexler
Howard M. Wexler